

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DEPUTY CLERK

UNITED STATES OF AMERICA

v.

ARTURO MELENDEZ

Criminal No. 3:15-CR-086-B

FACTUAL RESUME

In support of the defendant's plea of guilty to the offense in Count One of the Superseding Information, charging a violation of 21 U.S.C. § 841(a)(1), Arturo Melendez, his attorney, Frank Jackson, and the United States of America (the government) stipulate and agree to the following:

**I. ELEMENTS OF THE OFFENSES**

In order to establish the guilt of the defendant for the offense of Possession with Intent to Distribute a Schedule II Controlled Substance (methamphetamine), in violation of 21 U.S.C. § 841(a)(1) as alleged in Count One of the Superseding Information, the government must prove each of the following elements beyond a reasonable doubt:

**First:** That the defendant, did possess with the intent to distribute a mixture or substance containing a detectible amount of methamphetamine, a Schedule II controlled substance; and

**Second:** The defendant acted knowingly and intentionally.

## **II. PUNISHMENT FOR THE OFFENSE**

The minimum and maximum penalties the Court can impose under Count One of the Information include:

- a. imprisonment for a period of not more than twenty years;
- b. a fine not to exceed \$1,000,000.00, or twice any pecuniary gain to the defendant or loss to the victim(s);
- c. a term of supervised release of not less than three years, which is mandatory under the law and will follow any term of imprisonment. If Melendez violates the conditions of supervised release, he could be imprisoned for the entire term of supervised release;
- d. a mandatory special assessment of \$100;
- e. restitution to victims or to the community, which Melendez agrees will include restitution arising from all relevant conduct, and not limited to that arising from the offense of conviction alone; and
- f. costs of incarceration and supervision.

## **III. STIPULATED FACTS**


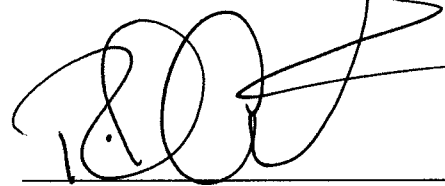
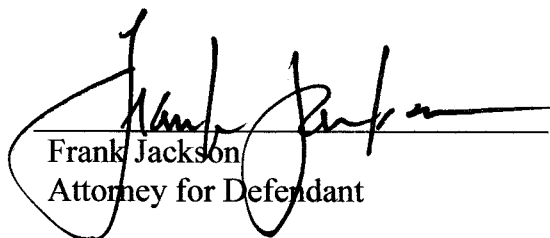
Arturo Melendez (Melendez) admits and acknowledges that on or about December 19, 2013, he possessed with the intent to distribute a mixture or substance containing a detectible amount of methamphetamine.

Specifically, Melendez admits that in December 2013, he utilized an apartment located at 14332 Monfort Avenue, Dallas, Texas to store quantities of methamphetamine and other drugs. Melendez stipulates that on December 19, 2013, law enforcement agents lawfully entered his apartment and seized approximately three kilograms of cocaine, almost two kilograms of marijuana and over 600 grams of a mixture and

substance containing a detectable amount of methamphetamine. In addition agents seized plastic bags, digital scales and a cooler used to store the drugs.

Melendez stipulates that a laboratory analysis conducted at the request of law enforcement agents confirmed that the substance he possessed on December 19, 2013 contained a detectable amount of methamphetamine weighing over 500 grams, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C).

AGREED AND STIPULATED on this 26 day of May, 2016.

  
\_\_\_\_\_  
Arturo Melendez  
Defendant  
\_\_\_\_\_  
Rick Calvert  
Deputy Criminal Chief  
\_\_\_\_\_  
Frank Jackson  
Attorney for Defendant